

**PLANNING AND ZONING COMMISSION  
MEMORANDUM**

**April 18, 2013**



**A proposal to amend the text of the Zoning Ordinance (Bryan Code of Ordinances Chapter 130) as it relates to the regulation of outdoor storage**

**BACKGROUND:**

Periodically the Planning and Zoning Commission assesses the previous year's body of work and accomplishments, and considering those along with projects ongoing, generates a "wish list" of issues on which to focus in the coming 12 months. For several years in the early 2000s the Planning and Zoning Commission had a subcommittee charged with studying and recommending changes to the portion of the Zoning Ordinance regulating outdoor storage. Unfortunately, other issues intervened and the subcommittee's task remained unaccomplished.

The Zoning Ordinance's strict limits on outdoor storage, which is currently only allowed in Industrial zoning districts, has placed orderly development and the ability to reasonably expand area business at cross purposes. For example, the Zoning Ordinance allows manufacturing uses in the C-3 (Commercial) zoning district, but currently prohibits manufacturing operations to have any outdoor storage on C-3-zoned properties. Staff believes that it is unreasonable to assume that all manufacturing operations allowed in C-3 Districts can operate entirely within buildings. In order to be allowed outdoor storage, such businesses would either have to relocate to an Industrial zoning district or request a rezoning of their property to Industrial District. Staff believes that this can potentially lead to the emergence of Industrial zoning districts, which allow unsightly or even noxious activities, at locations that are not ideal for such activities, for the sole purpose of allowing outdoor storage.

In an effort to remedy the situation, staff has prepared a text amendment designed to define various types of outdoor storage and specify the zoning districts and conditions that each may be employed. The proposed amendment endeavors to arrange the diverse types of outdoor storage in a manner that recognizes the needs and current practices of business while balancing the desire of the community expressed in the two most recent Comprehensive Plan updates for improved public image and aesthetics.

**ANALYSIS AND RECOMMENDATION:**

Currently outdoor storage is specifically defined in the Zoning Ordinance as:

*Open storage (also outside storage)* shall mean the keeping, displaying, or storing, outside a building, of any new or used goods, material, merchandise, or equipment on a lot or tract for more than 24 hours.

This use is permitted in only the Industrial (I) zoning district by right and with Conditional Use Permit approval in the Agricultural – Open (A-O) District. Staff finds that the existing definition is overly broad and limiting this use to only two zoning districts is too restrictive.

During the Commission's April 4, 2013 workshop meeting staff first made the Commission aware of the problems with applying the current regulation. By consensus, Commissioners asked staff to propose alternatives to the current regulation.

After reviewing regulations of several other Texas communities, staff found none that offered a direct solution that could be easily implemented in Bryan. One reason for that is that while most zoning ordinances are very similar in, for example, regulating residential and commercial activities, in almost every ordinance, there are differences in how particular activities are controlled. These differences are likely a result of the specific context within which zoning was adopted in a community. In other words, there does not appear to be a "one fits all" solution on the subject of regulating outdoor storage.

The proposed text amendment was developed by comparing and adapting various cities' standards on outdoor storage and integrating them into the context of Bryan's Zoning Ordinance. Staff recommends defining and organizing several types of commercial storage/display activity in a manner that will permit continued legal operation of existing business practices and regulate new development in a fashion intended to encourage orderly growth.